

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN

Case: 2:23-mj-30301
Assigned To : Unassigned
Assign. Date : 7/23/2023
Description: RE: SEALED
MATTER
Misc. (EOB)
UNDER SEAL

IN THE MATTER OF THE EXTRADITION OF

MALIQUE IDEL BENT CALLOO

**MOTION TO SEAL COMPLAINT,
SUPPORTING PAPERWORK, AND ARREST WARRANT**

The United States of America, by its attorney, Sarah Resnick Cohen,
Assistant United States Attorney, hereby respectfully moves the Court to place
under seal until further order of the Court the complaint, and any supporting
documents and docket entries, and the arrest warrant in the above-captioned case,
as well as the government's motion to seal and this Court's Order sealing the
aforesaid documents. In support of its motion, the government states as follows:

1. Courts have inherent power to control access to papers filed with the
courts. Nixon v. Warner Communications, Inc., 435 U.S. 589, 598 (1978). Courts
have traditionally been "highly deferential to the government's determination that
a given investigation requires secrecy and that warrant materials be kept under
seal." Times Mirror Co. v. United States, 873 F.2d 1210 (9th Cir. 1989). Therefore,
courts have routinely granted government requests to seal warrant materials where

there is a need for secrecy. See Washington Post v. Robinson, 935 F.2d 282, 289 (D.C. Cir. 1991).

2. The sealing of this matter is necessary because public disclosure of the complaint and related materials at this time could jeopardize future plans to secure the fugitive's arrest, as such disclosure could result in his being alerted to his criminal liability and cause him to take measures to flee or avoid capture. Concern for the need to apprehend the fugitive, and to do so in a manner consistent with public and officer safety, constitutes a legitimate prosecutorial reason, particularly in this case where the United States has a treaty obligation to apprehend and extradite the fugitive. The government has articulated an appropriate basis for an Order sealing the complaint, any supporting documents and docket entries, the arrest warrant, this motion, and any Order to seal.

3. In addition, the government requests that the sealing Order permit disclosure of the complaint, any supporting documents and docket entries, and the arrest warrant, to appropriate law enforcement and other personnel, both in the United States and internationally, to the extent that such disclosure is in furtherance of efforts to capture or detain the fugitive.

4. It is requested that the Court's order permit unsealing of the complaint and any supporting documents and docket entries, by any United States District

Court Judge or any United States Magistrate Judge, in any district, upon oral motion of the United States.

CONCLUSION

WHEREFORE, for all the foregoing reasons, the United States of America respectfully requests that the Court issue an Order sealing (except to the limited extent specified herein) the complaint filed in this matter on this date, as well as sealing any supporting documents and docket entries, the arrest warrant, this motion, and the Court's sealing Order, until further order of this Court or another court. A proposed Order is submitted herewith.

Respectfully submitted,

s/Sarah Resnick Cohen
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Date: July 22, 2023

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN

IN THE MATTER OF THE EXTRADITION OF

MALIQUE IDEL BENT CALLOO

Case: 2:23-mj-30301
Assigned To : Unassigned
Assign. Date : 7/23/2023
Description: RE: SEALED
Misc. No. MATTER
UNDER SEAL (EOB)

ORDER TO SEAL

Upon motion of the United States to seal the complaint in the above-captioned matter, the arrest warrant, the government's sealing motion, the sealing Order, and entries on the public docket, it is hereby,

ORDERED, that the Clerk of the Court seal in this matter the complaint, any supporting documents and docket entries, the arrest warrant, the underlying motion to seal, and this Order, except that the United States government may disclose the existence and/or contents of the complaint, any supporting documents and docket entries, and the arrest warrant, to appropriate law enforcement or other personnel, both in the United States and internationally, to the extent that such disclosure is in furtherance of efforts to obtain custody of or to detain the fugitive.

It is FURTHER ORDERED that the Clerk's office shall not make any entry on the public

docket in this case of the complaint, any supporting documents, the arrest warrant, the underlying motion to seal, and this Order until further order of the Court.

It is FURTHER ORDERED that the complaint, any supporting documents and docket entries, the arrest warrant, the underlying motion to seal, and this Order in the above-captioned matter shall be unsealed upon oral motion of the government to this Court or to any Court where the fugitive is first presented.

It is FURTHER ORDERED that the Clerk of Court shall provide to the United States Department of Justice certified copies of the complaint, any supporting documents and docket entries, the arrest warrant, the underlying motion to seal, and this Order in the above-captioned matter upon request.

Date: July 22, 2023



DAVID R. GRAND
UNITED STATES MAGISTRATE JUDGE